

Message Text

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17

ACTION TRSE-00

INFO OCT-01 EA-10 ISO-00 EB-07 L-02 OMB-01 CIAE-00 INR-07

NSAE-00 PA-02 RSC-01 USIA-15 PRS-01 SP-02 AID-05 H-02

/056 W

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R 180515Z NOV 74

FM AMEMBASSY JAKARTA

TO SECSTATE WASHDC 5325

UNCLAS JAKARTA 13963

DEPT PASS TREASURY

E.O. 11652: N/A

TAGS: EFIN, ID

SUBJ: DOUBLE TAX CONVENTION

REF: STATE 243444

1. CHIEF GOI TAX NEGOTIATOR ACHMAD DIN ON NOVEMBER 13 ASKED IF NOTE SETTING FORTH U.S. VIEWS ON NON-DISCRIMINATION, WHICH IS TO BE SIGNED BY AMBASSADOR AND ACCEPTED OR ACKNOWLEDGED BY GOI AT THE TIME THE TREATY IS SIGNED, WOULD EITHER BE "PART OF THE TREATY" OR WOULD BE PUBLISHED WITH THE TREATY AS AN APPENDIX OR OTHERWISE PHYSICALLY ATTACHED TO THE TREATY. HE SAID IF NOTE IS NOT PART OF THE TREATY OR IF U.S. DOES NOT INTEND TO PUBLISH IT AS APPENDIX TO TREATY IT WOULD GREATLY SIMPLIFY HIS OBTAINING STATE SECRETARIAT APPROVAL OF TREATY.

2. EMBOFF REPLIED THAT SINCE U.S. ACCEPTS MERE ACKNOWLEDGMENT BY GOI OF U.S. NOTE, AS DISTINGUISHED FROM AGREEMENT TO IT, NOTE ITSELF SIMPLY REPRESENTS FORMAL NOTIFICATION OF U.S. VIEW. IT IS NOT AN AGREEMENT, OR PART OF TREATY AGREEMENT, IN ABSENCE OF SPECIFIC GOI AGREEMENT TO CONTENTS OF NOTE.

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3. WITH RESPECT TO QUESTION OF PUBLICATION OF NOTE WITH TREATY, EMBOFF SAID IF NOTE IS NOT A PART OF THE AGREEMENT, IT WOULD PROBABLY NOT BE PUBLISHED AS AN APPENDIX OF THE AGREEMENT.

4. ACHMAD DIN ASKED IF EMBASSY COULD PROVIDE A LETTER STATING THAT THE NOTE IS NOT A PART OF THE AGREEMENT AND WILL NOT BE PUBLISHED WITH THE AGREEMENT. HE ALSO ASKED FOR A SUGGESTED FORM OF ACKNOWLEDGMENT WHICH GOI WOULD SIGN UPON RECEIPT OF THE NOTE. WE INFORMED HIM THAT WE WOULD SEEK CONFIRMATION FROM DEPARTMENT CONCERNING THESE POINTS AND IF DEPARTMENT CONCURRED, WOULD PROVIDE LETTER AND SAMPLE ACKNOWLEDGMENT.

5. WE SUBMIT FOLLOWING TEXTS FOR LETTER AND ACKNOWLEDGMENT FOR DEPARTMENT'S APPROVAL:

BEGIN TEXT. THIS IS TO ADVISE YOU THAT DIPLOMATIC NOTE NO. (BLANK) DATED (BLANK) FROM THE EMBASSY OF THE UNITED STATES OF AMERICA TO THE DEPARTMENT OF FOREIGN AFFAIRS OF THE REPUBLIC OF INDONESIA CONCERNING CERTAIN ASPECTS OF THE DOUBLE TAXATION CONVENTION WHICH IS TO BE EXECUTED BY THE UNDERSIGNED AND A REPRESENTATIVE OF THE GOVERNMENT OF THE REPUBLIC OF INDONESIA, ON BEHALF OF THEIR RESPECTIVE GOVERNMENTS, IS NOT A PART OF THE AFORESAID TAX TREATY AND WILL NOT BE PUBLISHED AS PART OF THE TREATY. END TEXT.

BEGIN TEXT. THIS WILL ACKNOWLEDGE THAT THE GOVERNMENT OF THE REPUBLIC OF INDONESIA AS RECEIVED AND IS COGNIZANT OF THE CONTENTS OF DIPLOMATIC NOTE NO. (BLANK) FROM THE EMBASSY OF THE UNITED STATES OF AMERICA TO THE DEPARTMENT OF FOREIGN AFFAIRS OF THE REPUBLIC OF INDONESIA. END TEXT.
TOUSSAINT

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TAX LAW, AGREEMENT DRAFT, MEETINGS, DIPLOMATIC NOTES
Control Number: n/a
Copy: SINGLE
Draft Date: 18 NOV 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974JAKART13963
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740332-0409
From: JAKARTA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741135/aaaabdhg.tel
Line Count: 96
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION TRSE
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: STATE 243444
Review Action: RELEASED, APPROVED
Review Authority: WorrelSW
Review Comment: n/a
Review Content Flags:
Review Date: 31 OCT 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <31 OCT 2002 by chicheje>; APPROVED <12 FEB 2003 by WorrelSW>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DOUBLE TAX CONVENTION
TAGS: EFIN, ID
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005